REMARKS

Upon entry of this Amendment, claims 1-30 are pending. Claims 1-8 stand rejected under 35 U.S.C. §102 as anticipated by U.S. Patent 5,276,430 to *Granovsky*. New claims 12-30 are presented. Support for the new claims may be found generally in the specification and claims originally filed, and may be found, *inter alia*, at pages 13-15 and 22. The claims as amended traverse the Examiner's rejections. No new matter is submitted.

Applicant wishes to thank the Examiner for indicating claims 9-11 as allowable if rewritten so as not to depend from a rejected claim.

Rejection Under §102

No prior art of record teaches expressly or by implication all of the limitations of each of the independent claims. Of the rejected claims, claim 1 is independent. The Examiner has taken the position that claim 1 is anticipated by *Granovsky* FIGs. 1 and 18.

Granovsky does not teach or suggest, *inter alia*, "selecting, from a plurality of predetermined methods, a method for forming a logical combination; and determining that the radio frequency identification device is detected in accordance with performing the method" as claimed. In *Granovsky*, when detecting a tag in a zone defined inside a gate, the immediately adjacent panels of the respective gate are always used. *Granovsky* FIG.1 shows two surveillance zones (1, 2) each surrounded by a gate comprising two panels. Antennas 3 and 6 form a first panel; antennas 4 and 7 form a second panel; and antennas 5 and 8 form a third panel. The first and second panels form a gate that surrounds zone 1; the second and third panels form a gate that surrounds zone 2. Signal processor 18 as taught in FIGs. 1, 17, and 18 receives signals 20, 21 from antennas in the gate for zone 1 and always applies the same tests (*see* col. 22 line 13 through col. 25 line 62) to determine an alarm condition 32. Since all tests must indicate a positive result for an alarm, AND-gate 143 combines test results using an AND logic gate. In *Granovsky* FIG. 1, OR-gate 28 provides an input for alarm condition 32 for zone 1 and an analogous alarm condition 33 for zone 2 to permit a common audio device 29 to be activated for one of two alternatives: (a) a tag detected in zone 1 by signal processor 18; or (b) a tag detected in zone 2 by equivalent signal processor 19. OR-gate 28 is always operative for detection in any zone. Consequently, the combination of all of the tests in *Granovsky*, the function of AND gate

143, and the function of OR-gate 28 constitute one and only one method that is always applied to determine whether a tag is detected.

Nothing in *Granovsky* teaches or suggests that more than one method is available for selection, that a method is selected from a plurality of predetermined methods, or that an alternative method is not selected. Determining that a tag is detected is not the result of "selecting ... a method ... and ... performing the method" as claimed.

A lack of novelty cannot be established without presenting a *prima facia* case showing every limitation of the claim in one reference. The limitations "selecting, from a plurality of predetermined methods, a method for forming a logical combination; and determining that the radio frequency identification device is detected in accordance with performing the method" cannot be found in *Granovsky*. Withdrawal of the rejections based on *Granovsky* is respectfully requested because no *prima facia* case has been established by the Examiner.
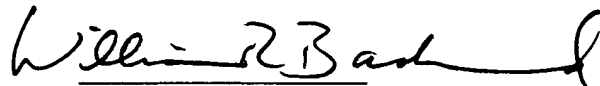
Conclusion

Reconsideration is respectfully requested. Applicant believes the case is in condition for allowance and respectfully requests withdrawal of the rejections and allowance of the pending claims.

The Examiner is invited to telephone the undersigned at the telephone number listed below if it would in any way advance prosecution of this case.

Respectfully submitted,

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